

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION**

TEXAS, *et al.*,

Plaintiffs,

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants,

CALIFORNIA, *et al.*,

Intervenors-Defendants.

Civil Action No. 4:18-cv-00167-O

**MOTION OF PROPOSED INTERVENOR-DEFENDANT  
U.S. HOUSE OF REPRESENTATIVES TO APPEAR  
WITHOUT LOCAL COUNSEL**

Pursuant to Local Rule 83.10(a), the U.S. House of Representatives respectfully moves this Court for leave to participate as an Intervenor Defendant in this litigation without local counsel.

**ARGUMENT AND AUTHORITIES**

1. Local Rule 83.10(a) generally requires all participants in litigation before this Court to proceed with local counsel. The Rule provides that a presiding judge may grant leave to dispense with this requirement.

2. As a result of local rule or court order, all of the present parties in this litigation are exempt from the local-counsel requirement. *See* Local Rule 83.11 (exempting “an attorney appearing on behalf of the United States Justice Department or the Attorney General of the State of Texas” from local-counsel requirement); Order, *Texas v. United States*, No. 4:18-cv-00167-O (N.D. Tex. Apr. 24, 2018) (Dkt. No. 28) (granting Intervenor States’ motion for leave to appear without local counsel).

3. Movant's counsel are authorized to appear before this Court. *See* 2 U.S.C. § 5571(a) (authorizing counsel for the House of Representatives "including any counsel specially retained by the Office of General Counsel . . . to enter an appearance . . . before any court of the United States . . . without compliance with any requirements for admission to practice before such court").

4. Movant's counsel certify that they will be available to travel to Fort Worth to attend any hearing held on short notice. As the other parties appearing without local counsel would also need to travel to attend any such hearing, no additional delay would result from granting Movant's request to proceed without local counsel.

5. Movant's counsel have familiarized themselves with the rules of the Northern District of Texas and will abide by those rules in litigation before this Court.

6. Movant has conferred with counsel for the other parties. The Plaintiffs do not oppose this motion. The Federal Defendants and the Intervenor States take no position with respect to this motion.

**PRAYER**

Wherefore Movant respectfully requests that the Court enter an order pursuant to Local Rule 83.10(a) permitting it to appear without local counsel.

Dated: January 3, 2019

Respectfully submitted,

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*Counsel for the U.S. House of Representatives*

**CERTIFICATE OF CONFERENCE**

I hereby certify that Brianne J. Gorod conferred concerning this Motion to Appear Without Local Counsel with Darren McCarty, counsel for the Plaintiff States, on January 2, 2019; with Robert Henneke, counsel for the Individual Plaintiffs, on January 3, 2019; with Dan Mauler, counsel for the Federal Defendants, on January 3, 2019; and with Melanie Fontes Rainer, counsel for the Intervenor States, on January 2, 2019. Mr. McCarty and Mr. Henneke indicated that the Plaintiff States and the Individual Plaintiffs, respectively, would not oppose this Motion to Appear Without Local Counsel. Mr. Mauler and Ms. Rainer indicated that the Federal Defendants and the Intervenor States, respectively, take no position with respect to this Motion to Appear Without Local Counsel.

Dated: January 3, 2019

Respectfully submitted,

*s/ Donald B. Verrilli, Jr.*  
Donald B. Verrilli, Jr.

**CERTIFICATE OF SERVICE**

I hereby certify that on January 3, 2019, the foregoing document was filed with the Clerk of the Court, using the CM/ECF system, causing it to be served on all counsel of record.

Dated: January 3, 2019

Respectfully submitted,

*s/ Donald B. Verrilli, Jr.*  
Donald B. Verrilli, Jr.